

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER GRANTING OBJECTION OF PUERTO RICO SALES TAX FINANCING
CORPORATION TO PROOF OF CLAIM OF DR CONTRACTORS & MAINTENANCE,
CORP (CLAIM NO. 3725)

Upon the *Objection of Puerto Rico Sales Tax Financing Corporation to Proof of Claim of DR Contractors & Maintenance, Corp (Claim No. 3725)* (Docket Entry No. 4509 in Case No. 17-3283, the “Objection”),² dated December 19, 2018, filed by the Puerto Rico Sales Tax Financing Corporation (“COFINA”), for entry of an order disallowing in part and reclassifying in part the claim filed against COFINA by DR Contractors & Maintenance Corp., and logged by

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² Capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Objection.

Prime Clerk, LLC, as Proof of Claim No. 3725 (the “Claim”), as more fully set forth in the Objection and supporting exhibits thereto; and the Court having jurisdiction to consider the Objection and to grant the relief requested therein pursuant to Section 306(a) of PROMESA; and venue being proper pursuant to Section 307(a) of PROMESA; and due and proper notice of the Objection having been provided to those parties identified therein, and no other or further notice being required; and, upon the record of the hearing held on the Objection on March 13, 2019, and the rulings made therein, the Court having determined that the relief sought in the Objection is in the best interest of COFINA, its creditors, and all the parties in interest; and the Court having determined that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is hereby

ORDERED that the Objection is GRANTED as set forth herein; and it is further

ORDERED that, to the extent the Claim asserts liability associated with one or more bonds issued by one or more of the Debtors other than COFINA, that portion of the Claim, as identified in the column titled “Corrected” in Exhibit A to the Objection, is hereby reclassified to be a claim asserted against the Debtor(s) indicated in the column titled “Corrected” in Exhibit A to the Objection; and it is further

ORDERED that any remaining portion of the Claim is hereby disallowed; and it is further

ORDERED that the Debtors’ right to object to the Reclassified Claim is reserved; and it is further

ORDERED that Prime Clerk, LLC, is authorized and directed, in the official claims register in the PROMESA cases, to move the portion of the Claim identified in the column titled “Corrected” in Exhibit A to the Objection from the COFINA Title III Case (Bankruptcy Case No.

17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474) to the Title III case for the Debtor(s) identified in the column titled “Corrected” in Exhibit A to the Objection; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

SO ORDERED.

Dated: March 26, 2019

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge